

U.S. Department of Justice



United States Attorney
Eastern District of New York

LK:CAC
F.#2010R00314

271 Cadman Plaza East
Brooklyn, New York 11201

May 11, 2010

BY HAND AND ECF

Kannan Sundaram, Esq.
Federal Defenders of New York, Inc.
One Pierrepont Plaza
16th Floor
Brooklyn, NY 11201

Re: United States v. Amos Harris,
Criminal Docket No. 10-261 (RRM)

Dear Mr. Sundaram:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, the government hereby furnishes discovery with respect to the above-referenced matter. The government also requests reciprocal discovery.

1. Statements of the Defendant

Enclosed is a copy of the Miranda warnings signed by the defendant, and the defendant's written statement (Bates stamped AH 000000002-000000004).

2. Prior Criminal History

The government is unaware of any criminal history.

3. Documents and Tangible Objects

The government previously provided you with a copy of a CD, bates numbered 0000000001, containing a video of your client and his co-defendant.

The evidence seized at the hotel in Staten Island consists of the following:

- Clear plastic wrapped block of black paper
- Black plastic bag containing a clear plastic bag with purple colored detergent like powder
- A large size empty black colored plastic garbage bag
- A box of opened latex gloves
- An opened box of two Maxi-Mask Ultra 95 particle masks

- A Glad brand round plastic container
- Five rolls of clear plastic
- Scotch brand storage tape
- Two rolls of Reynolds Wrap brand aluminum foil - boxed, and three rolls of aluminum foil - not boxed
- A roll of clear plastic wrap,
- An opened plastic bag containing two Particle masks
- A Silver colored box cutter with a razor blade, and an extra razor blade
- A clear plastic Zip lock type bag
- A roll of Scotch brand tape
- A dispenser containing a used roll of Scotch brand clear plastic storage tape used to dispense tape
- A man's ankle sock
- A bottle of Johnson's Brand baby oil containing an unknown fluid/lotion
- A black and yellow colored box cutter containing a rusty blade
- Four small black plastic garbage bags
- A 50g jar of Vick's Brand vapor rub
- Nine loose white colored latex/plastic examination gloves
- Two black jugs containing unknown liquid

You may call me to arrange a mutually convenient time to inspect and/or photograph the evidence discoverable under Rule 16.

4. Reports of Examinations and Tests

The government will provide you with copies of reports of any examinations or tests conducted in connection with this case, as they become available.

5. Expert Witnesses

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) by notifying you in a timely fashion of any expert the government intends to call at trial and by providing you with the expert's credentials and a summary of the expert's opinion.

6. Brady Materials

The government is not aware of any exculpatory material regarding the defendant. The government understands and will comply with its continuing obligation to produce exculpatory material as defined by Brady v. Maryland, 373 U.S. 83 (1963), and its progeny.

Before trial, the government will furnish materials discoverable pursuant to Title 18, United States Code, Section 3500, as well as impeachment materials. See Giglio v. United States, 405 U.S. 150 (1972).

The Defendant's Required Disclosures

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, photographs, tapes, tangible objects, or copies or portions thereof, which are in the defendant's possession, custody or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results of reports or physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, which are in the defendant's possession, custody, or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial or which were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid any unnecessary delay, we request that you have copies of these statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony the defendant intends to use under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for those opinions, and the witnesses' qualifications.

If you have any questions or further requests, please do not hesitate to contact me.

Very truly yours,

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

By: /s/
Celia A. Cohen
Assistant U.S. Attorney
(718) 254-6147

Enclosures

cc: Clerk of Court (w/o enclosures) (RRM) (by ECF)